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Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested me to report at regular intervals on the implementation of its mandate. The report covers the activities of UNMIK and developments relating thereto from 16 July to 15 October 2016.

2. The priorities of the Mission remain to promote security, stability and respect for human rights in Kosovo and the region. In furtherance of its goals, UNMIK continues its constructive engagement with Pristina and Belgrade, all communities in Kosovo and regional and international actors. The Organization for Security and Cooperation in Europe (OSCE) and the Kosovo Force (KFOR) continue to perform their roles within the framework of Security Council resolution 1244 (1999). The European Union Rule of Law Mission (EULEX) continues its presence in Kosovo in line with the presidential statement of the Security Council of 26 November 2008 (S/PRST/2008/44) and my report of 24 November 2008 (S/2008/692). The United Nations agencies, funds and programmes work closely with the Mission.

II. Political and security developments

3. During the reporting period, political tensions centred around the dispute over the draft law ratifying the agreement on territorial delineation with Montenegro and the adoption of a new law on the Trepca mining and industrial complex. The latter issue created additional public tension between Pristina and Belgrade, while the implementation of the agreements reached within the framework of the European Union-facilitated dialogue continued only at a slow pace.

4. On 4 August 2016, the government of Kosovo approved the draft law ratifying the territorial delineation agreement, which had been reached on 26 August 2015, and submitted it to the Assembly. On 9 August, the Assembly of Kosovo Committee on Foreign Affairs voted in favour of the draft law during a session marked by the release of tear gas by a member of the opposition party Vetëvendosje ("Self-determination"), who was subsequently detained. The following day, the presidency

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of the Assembly met to schedule a meeting to vote on the draft law, with the session once again marred by the release of tear gas in the chamber by a member of Vetëvendosje. On 1 September, the scheduled date of the vote, the Prime Minister of Kosovo, Isa Mustafa, requested the Assembly to withdraw the draft law from consideration on the basis that the government needed to secure broader consensus before proceeding.

5. Public protests against the territorial delineation agreement were organized on 5, 26 and 27 August, in Pristina, South Mitrovica and in Pejë/Peć, respectively. Vetëvendosje then held a demonstration in front of the Assembly during its session on 1 September. That day, Kosovo police officers arrested two Vetëvendosje members for attempting to bring pepper spray and tear gas into the Assembly and detained two persons outside the Assembly building who were found to be carrying 22 home-made petrol bombs. In addition, a Vetëvendosje employee was arrested for interfering with computer systems of the Assembly and the public broadcaster Radio Television of Kosovo (RTK).

6. Instances of political violence continued, several of which appeared to relate directly to the disputed agreement on territorial delineation with Montenegro. On 4 August, a rocket-propelled grenade was fired at the Assembly building, causing significant damage. In the ensuing investigation, which was continuing as at the time of writing, the police identified Vetëvendosje activists as suspects. On 9 August, an explosive device was discovered and disarmed by police at the private residence of the Chair of the Kosovo Commission for Border Demarcation. On 22 August, a hand grenade was detonated at the main RTK building in Pristina, causing damage to the building and to some equipment. On 28 August, another hand grenade was detonated near the house of the Director of RTK in Pristina, again causing material damage. In addition, on 1 September, the Kosovo police discovered and seized some 50 backpacks containing petrol bomb materials and other explosives from a storage room in Pristina rented by Vetëvendosje.

7. The ratification of the agreement with Montenegro remains among the conditions set by the European Union in order to provide visa-free Schengen area travel to the population of Kosovo. Accordingly, on 5 September, the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament voted only to extend the existing visa waiver for Kosovo but not to initiate any further steps, citing the non-ratification of the agreement with Montenegro.

8. On 8 October, the Assembly of Kosovo adopted a new law on the Trepca industrial complex, which provoked immediate controversy because the ownership and structure of the plant have been the subject of a long-standing dispute. The law provides for the transformation of Trepca into a publicly owned Kosovo company, with 80 per cent of shares held by the Kosovo authorities and 20 per cent by employees. The Prime Minister stated at the Assembly that mineral resources were the property of Kosovo and, with the law, Trepca's assets were and would remain in Kosovo. In Belgrade, the Government of Serbia held a Cabinet meeting on 11 October to discuss Trepca, along with the Pristina-Belgrade dialogue agreement on telecommunications. The Prime Minister of Serbia, Aleksandar Vučić, announced a government decision annulling all legal consequences of documents and actions of the Pristina institutions concerning Trepca, and warned Pristina against unilateral action or forceful seizure of property. Within the Assembly of Kosovo, the law was

opposed by the Kosovo-Serb party Civic Initiative Serbia, whose members also boycotted the vote, and by Vetëvendosje. Both parties complained of a lack of prior consultation and of insufficient time to review the text of the law before its passage through the Assembly.

9. Public protests, including some roadblocks, were organized in northern Kosovo, where most of the Trepca mines and facilities are located. On 7 October, Kosovo Serb representatives held a joint extraordinary session of the four northern municipal assemblies, also attended by the three Kosovo Serb ministers, to register their objection to the draft law on Trepca under consideration by the Assembly and to call for its withdrawal. After the law was passed, Kosovo Serb members of the Assembly and government announced a "freeze" of their participation in official activities and stressed that they would not accept any decision on Trepca that had not been agreed to by Kosovo Serb representatives.

10. On 11 August, a new Government of Serbia was sworn in, with the head of the Serbian Progressive Party, Aleksandar Vučić, continuing as Prime Minister. The Government continues as a coalition of the Serbian Progressive Party and the Socialist Party of Serbia, headed by Ivica Dačić, who continues to serve as First Deputy Prime Minister and Minister for Foreign Affairs. The new Government reiterated its commitment to intensifying dialogue with Pristina, supporting the establishment of the Association Community of Serb-majority municipalities and continuing to provide social and other support and services to Kosovo Serbs through the Serbian institutions in Serb-majority areas.

11. On 21 September, in the Serb-majority community of Gračanica/Graçanicë, Kosovo police attempted to cut short a visit to Kosovo by the Director of the Government of Serbia Office for Kosovo and Metohija, Marko Djurić, alleging that he had breached an agreement not to politicize his visits. Some 200 local Kosovo Serbs mobilized to prevent the police from executing their orders, with the result that Mr. Djurić proceeded with the visit. Subsequently, the Kosovo authorities rejected a request for Mr. Djurić to visit Kosovo on 24 September.

12. On 26 September, the director of the Kosovo police for the Mitrovica South region, Nehat Thaçi, was arrested by Serbian authorities at the Gate 5 crossing point on the basis of a warrant issued in 2010 by the Higher Court in Niš. According to the Ministry of the Interior of Serbia, his alleged crimes included acts of terrorism and genocide committed in Kosovo in July 1999. Following the arrest, Ms. Tahiri requested the European Union to facilitate Mr. Thaçi's release, while also requesting Serbia to respect the spirit of dialogue and normalization of relations.

13. As part of its operational mandate to provide reserve capacity for the European Union Force Althea in Bosnia and Herzegovina, KFOR participated in the military training exercise "Quick Response 2016" from 28 September to 6 October. KFOR elements, comprising a reinforced company, for the first time practised a rapid redeployment from Kosovo to Bosnia and Herzegovina.

14. The protracted political crisis in the former Yugoslav Republic of Macedonia continued to have some indirect effects on Kosovo. The ongoing trial of 37 members and accomplices of an ethnic Albanian group who were alleged to have been involved in an exchange of fire with former Yugoslav Republic of Macedonia

police in Kumanovo in May 2015, of whom 17 are from Kosovo, remains a potential inducer of inter-ethnic tension on both sides of the border.

15. During the reporting period, migrants and refugees from the Middle East, Africa and Central Asia continued to use routes through the Balkan region, a phenomenon that continued to pose significant humanitarian and security challenges. In Kosovo, the Office of the United Nations High Commissioner for Refugees (UNHCR) recorded a year-to-date total of 170 asylum requests submitted, with 15 applicants remaining in Kosovo as at the end of September.

III. Northern Kosovo

16. On 30 August, the Kosovo minister in charge of the technical dialogue between Belgrade and Pristina, Edita Tahiri, accompanied by the mayor of South Mitrovica, inspected construction work at the Mitrovica main bridge then continued across to North Mitrovica, where she visited a cafe. The following night, the cafe was set on fire by unknown persons, resulting in significant material damage.

17. Compared with the previous reporting period, cooperation improved between the municipalities in northern Kosovo and Pristina-based ministries, in particular concerning municipal finance. An amendment to the Law on Local Government Finance, which established contingency grants for municipalities with a population under 22,000, provided increased funding for the municipalities of Leposavić/Leposaviq, Zubin Potok and Zvečan/Zveçan. Northern Kosovo was increasingly able to draw benefit from the development fund made up from duties collected at the Jarinje/Rudnica and Brnjak/Tabalije crossing points. In total, more than €7 million has been allocated from the fund, including over €1 million in July and August for infrastructure projects.

IV. Normalization of relations between Belgrade and Pristina

18. The implementation of the agreements reached within the framework of the European Union-facilitated dialogue continued to be relatively slow. Both parties, however, gave signals of a commitment to move forward, including on creating the Association/Community of Serb-majority municipalities in Kosovo. Two new members were appointed to the management team tasked with drafting the statute of the Association/Community. Tangible progress was achieved under the 2011 agreement on freedom of movement, with the rationalization of vehicle registration plates being further negotiated ahead of the expiration in November 2016 of the initial agreement. The office of the European Union High Representative for Foreign Affairs and Security Policy announced on 14 September that the technical teams had agreed on a reciprocity mechanism to enable vehicles to move more easily in both directions.

19. Concerning the implementation of the agreement on integration of the Kosovo judiciary, formal selections had been completed for the remaining six prosecutors and 14 judges moving from the Serbian to the Kosovo judicial system. As at the end of the reporting period, their appointments remained pending. A possible setback emerged following reactions to the adoption by the Assembly of Kosovo of the law

on the Trepca complex (see paras. 8 and 9 above). On 9 October, the President of the Mitrovica High Court announced that Serbian judges, prosecutors and judicial staff, in protest against the action of the Assembly on Trepca, might suspend further participation in the judicial integration process. Hiring processes for court and prosecution support staff continued, along with the renovation of some court premises. The independent commission established to verify diplomas issued by the university in North Mitrovica issued 27 certificates of validity, making applicants holding such degrees eligible for employment in the Kosovo institutions.

20. On 5 August, a new understanding was reached between the parties on implementing the agreement of 25 August 2015 on the redevelopment of the main bridge in Mitrovica, overcoming an impasse that had significantly delayed the start of the work. The European Union contractor began rehabilitation work on 14 August, with the bridge now scheduled to open by January 2017. Associated work on part of a main street in North Mitrovica adjacent to the bridge also began in September.

21. Extensive technical-level discussions on implementation of the action plan for telecommunications in Kosovo have not yet produced agreement on the final details of implementation.

V. Returns, reconciliation, cultural heritage and community relations

22. On 21 July, the President of Kosovo, Hashim Thaçi, paid his respects at the memorial commemorating 14 Kosovo Serb civilians from Staro Gradsko who had been murdered in that village on 23 July 1999, shortly after the end of the conflict. A few days later, he visited another memorial to two teenagers who had been murdered in the village of Gorazhdevac in 2003, in an unsolved crime against Kosovo Serbs. Leading by example helps to change attitudes in wider context and gives optimism for the potential for reconciliation to succeed at the social level.

23. I commend efforts made at the municipal level to employ members of non-majority communities in local governance institutions. Furthermore, I welcome the implementation by local authorities of more than 10 infrastructure projects in multi-ethnic and minority community areas, including paving roads and upgrading drinking water supply and sewerage systems.

24. As at the end of September 2016, UNHCR had recorded a year-to-date total of 276 voluntary returns to Kosovo, including 156 Kosovo Serbs and 79 Kosovo Roma, Ashkali and Egyptians. The total number of voluntary returns by members of non-majority communities since 2000 stood at 25,772 individuals. UNHCR estimates that, at the end of September 2016, the total number of internally displaced persons living in Kosovo stood at 16,704. Of those, 468 resided in 29 collective shelters. The total number of internally displaced persons fell by 10 compared with the previous quarter.

25. A total of 69 security incidents affecting minorities were recorded, compared with 94 during the previous reporting period. Reported incidents include physical assault, verbal threats, robberies targeting returnees and vandalism of residential

properties. Incidents were reported throughout Kosovo, including in Istog/Istok, Klinë/Klina, Lipjan/Lipljan, Mitrovica/Mitrovicë, Pejë/Peć, Rahovec/Orahovac, Suhareka/Suva Reka and Vushtrri/Vučitrn.

26. During August, the Deçan/Dečani municipality suspended all cooperation with the Serbian Orthodox monastery Visoki Dečani after negotiations failed on the potential use of a mineral water spring located within its special protective zone. Meanwhile, the municipality had yet to implement the decision of the Kosovo Constitutional Court of 20 May 2016 in favour of the monastery in the long-standing dispute regarding land in the vicinity of the monastery.

27. Most visits to religious and cultural sites in Kosovo took place without incident. On 28 August, however, 150 displaced Kosovo Serbs were prevented from participating in a religious ceremony at the site of the destroyed Serbian Orthodox church of the Holy Virgin near the village of Mushtishtë/Mušutište by some 150 Kosovo Albanian residents of the village. When Kosovo police officers attempted to clear the road, protesters threw stones at them, resulting in three protesters and six police officers sustaining injuries. Twenty-five protesters were arrested. It should be recalled that, in June, the working group on the return of displaced persons to the village had approved a list of 10 Kosovo Serbs as beneficiaries of the fourth phase of the European Union Return and Reintegration in Kosovo housing project. In that regard, the Kosovo Minister for Communities and Returns, Dalibor Jevtić, expressed concern about the negative impact of the incident on the potential for returns to Mushtishtë/Mušutište.

28. Following an arson attack inside the unfinished but consecrated Serbian Orthodox church of Christ the Saviour located on the University of Pristina campus, the Pristina parish organized the cleaning of the site, which was halted by order of inspectors from Pristina municipality. On 16 September, around 50 university students staged a protest and clashed with the Kosovo police at the site of the church, resulting in four protesters being detained and one police officer injured. The following day, students staged another peaceful protest, with support from the university administration.

VI. Human rights and the rule of law

29. During a regular session of the Joint Working Group on Missing Persons, on 2 September, the Belgrade and Pristina delegations agreed to establish an analysis team in support of the sub-working group on forensic issues. Meanwhile, the International Committee of the Red Cross continued to facilitate meetings of the working groups for victims' families. Nonetheless, the number of unresolved cases of missing persons stagnated at 1,664. UNMIK, as a member of the Pristina delegation, attended the excavation on 27 July in the vicinity of the Serbian Orthodox church of Christ the Saviour located on the University of Pristina campus. The excavation yielded no findings.

30. On 4 August, the Assembly of Kosovo approved the 10 recommendations on protection against domestic violence made by the Commission on Human Rights, Gender Equality, Missing Persons and Petitions, including the establishment of a regular budget line for the provision of services to victims of domestic violence and

the appointment of a special judge to treat cases of domestic violence. In a related development on 10 August, the government of Kosovo established a committee for crime victim compensation, with responsibility for reviewing and deciding on claims for compensation submitted by victims of crimes.

31. Witness protection in trials for crimes committed in Kosovo during the 1998-1999 conflict remains a source of concern. On 5 September, the Belgrade Special Court postponed for a second time the retrial of former members of the Yugoslav Army 177th Intervention Squad for murders committed near Pejë/Peć in April and May 1999, because witnesses from Kosovo declined to travel to Serbia. The defendants had been initially convicted and sentenced to 106 years in jail, but the Appellate Court had reversed the verdict in February and ordered a retrial.

32. The Special Prosecution Office in Kosovo filed indictments for a range of terrorism-related offences, including an attempt to join Islamic State in Iraq and the Levant in Iraq and the Syrian Arab Republic, involvement in activities with the Nusrah Front in the Syrian Arab Republic and money-laundering and financing of terrorism. On 15 September, indictments were filed against four imams and the leader of a small political party for inciting national, racial, religious or ethnic hatred, discord or intolerance. On 23 September, the Basic Court of Ferizaj/Uroševac sentenced an individual to five years' imprisonment for recruitment to terrorism.

33. A number of investigations and prosecutions of officials accused of abuse of position have been undertaken. In one high-profile criminal case, a former parliamentarian of the Democratic Party of Kosovo and General Commander of the Kosovo Liberation Army headquarters, Azem Syla, was initially arrested on 30 April on suspicion of leading a criminal group responsible for money-laundering, bribery and illegal expropriation of public property. He was released from custody on 25 August upon the expiry of the remand period, but rearrested under a EULEX judicial order on 23 September for allegedly tampering with a protected witness.

34. In another high-profile case, on 2 August the Chief State Prosecutor opened an investigation against the former caucus leader of the Democratic Party of Kosovo, Adem Grabovci, for abusing his official position. The move was prompted by the publication of wiretapped telephone conversations in which he appeared to be peddling influence. On 12 August, the Pristina Basic Court rejected his request to prevent the continued publication of the conversations. On 4 October, the investigation was extended to include another seven public officials.

35. On 8 August, a EULEX judicial panel at Mitrovica Basic Court convicted a former high-ranking member of the Kosovo Liberation Army, Xhemshit Krasniqi, of war crimes against civilians for offences committed in 1999, including illegal detention and torture. He was sentenced to eight years' imprisonment.

36. A team from the global focal point for police, justice and corrections in the rule of law in post-conflict and other crisis situations deployed to Kosovo from 15 to 23 September. The team comprised experts from the Department of Peacekeeping Operations, the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme, the United Nations Office on Drugs and Crime and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

37. The Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, visited Kosovo from 13 to 16 September to assess progress made on his recommendations of 2014. He visited displaced persons in Pristina, North Mitrovica, Zvečan/Zveçan, Obilić/Obiliq and Gračanica/Graçanicë and called for bold efforts to unlock protracted displacement. He expressed concern that many displaced persons were still living in substandard conditions and about the illegal occupation of properties.

38. From 3 to 14 October, the Special Rapporteur in the field of cultural rights, Karima Bennoune, conducted her first visit to Serbia and Kosovo to assess efforts to implement the right of all persons to participate in cultural life without discrimination and to access and enjoy cultural heritage. At the end of her visit to Kosovo, she expressed concern about the high level of politicization of cultural heritage in Kosovo and invited all sides to stop denying or minimizing the value of cultural heritage of the other communities.

39. The UNMIK Human Rights Advisory Panel closed its operation and published its final report. My Special Representative, and Head of UNMIK, Zahir Tanin, welcomed the publication of the report and expressed appreciation for the work of the Panel. The focus of effort now shifts towards the drawing of lessons learned from the Panel's important work.

VII. Partnerships and cooperation

40. As part of efforts to ensure continued United Nations engagement, my Special Representative held a series of substantive meetings in Pristina with the President, the Prime Minister and the Kosovo Minister for Foreign Affairs, Enver Hoxhaj, and in Belgrade with the President of Serbia, Tomislav Nikolić, the Prime Minister and the First Deputy Prime Minister and Minister for Foreign Affairs, Ivica Dačić. Those meetings included exploration of various means to channel United Nations support in furtherance of the mandate of UNMIK.

41. UNMIK continued to provide document certification services. A total of 407 documents were processed during the reporting period, comprising 135 civil status documents, 212 pension documents, 20 school attendance documents, 12 transcripts of records and 28 high school diplomas. The Mission also continued to facilitate communications between the Kosovo authorities and the International Criminal Police Organization (INTERPOL) and its member States. UNMIK received 11 requests seeking the issuance of international wanted notices. In addition, it processed nine new requests from the Kosovo police and the Serbian Ministry of the Interior regarding verification of documents and assistance in criminal investigations.

42. In July, UN-Women issued a report[1] advocating that comprehensive reparations be made for conflict-related sexual violence in Kosovo. By focusing in the report on the need to bring survivors' voices and perspectives to the forefront of future policy and development programme design, UN-Women aims to complement

[1] Available from www.unwomen.org/en/digital-library/publications/2016/8/the-conflict-did-not-bring-us-flowers#view.

existing initiatives upholding the right to reparation for survivors of conflict-related sexual violence.

43. The World Bank issued its second biannual Southeast Europe Regular Economic Report, entitled "Resilient growth amid rising risks".[2] It predicts that Kosovo will have a 3.6 per cent growth in gross domestic product in 2016, slightly down from 3.9 per cent in 2015, which nonetheless compares favourably with other economies in the region. The unemployment rate remains the highest in the region, at 33 per cent, with long-term unemployment making up two thirds of that figure.

VIII. Observations

44. The many remaining challenges notwithstanding, I remain impressed by the overall economic and political progress that has been achieved since the end of the conflict and by the far-sightedness of those from each side who have moved beyond the conflict in order to focus on building a more prosperous future. In this, they have worked closely with the international community, and I am especially proud of the contributions made by the United Nations. Furthermore, I welcome the recent more constructive engagement with my Special Representative by political leaders in Kosovo, which directly contributes to the wider goals shared by all.

45. Naturally, disagreement and divisions persist in Kosovo, and voices of genuine dissent and dissatisfaction need to be heard. I am concerned that, too often, legitimate public concerns are being exploited by politicians for their own interests. The protracted political stalemate over the agreement on territorial delineation with Montenegro has obscured the real issues and may also prove to be a damaging distraction from more urgent challenges and opportunities. With regard to the adoption of laws on issues that are sensitive to important stakeholders, I urge more careful consultation and dialogue, with special focus on ensuring that minority communities are involved in decisions that affect their lives and livelihoods. I also urge the Kosovo authorities to refrain from taking any steps or decisions that could hinder progress in the European Union-facilitated dialogue between Belgrade and Pristina.

46. While I have welcomed the impressive progress achieved in the normalization of relations between Pristina and Belgrade through the European Union-facilitated dialogue, I am disconcerted by the delayed rate of implementation of some important agreements. As has been expressed by leaders on both sides, there is no practical alternative to dialogue in order to achieve the normalization of relations. I call upon those engaged at all levels to resist the temptation of public posturing and provocation, but instead engage with one another in a responsible manner, seeking fair and lasting compromises. I also remind political leaders in Belgrade and Pristina of their own responsibility to resume the high-level dialogue without delay and with the courage and political will that are needed to overcome remaining obstacles and ensure full implementation of all agreements reached thus far.

[2] Available from www.worldbank.org/en/region/eca/publication/south-east-europe-regular-economic-report

47. I regret the continuing low rate of returns to many parts of Kosovo. Stronger efforts are required to build confidence and trust between returning and receiving communities and to provide credible guarantees of physical security, non-discrimination and educational and economic opportunities for returnees. Religious tolerance and respect for the traditions of others are also important prerequisites for reconciliation and for sustainable returns. Kosovo has a long-standing tradition of diversity and religious tolerance that needs to be recovered after the scars of the war.

48. As part of Europe, the western Balkans are facing emerging challenges, and close regional cooperation is a decisive prerequisite to successfully meeting them. Divisive rhetoric undermines regional progress at a time when those in the region can least afford it. In particular, I call upon those in the highest positions of leadership to focus on uniting efforts to meet shared challenges rather than looking to apportion blame and inflame tendencies to division.

49. I once again express my sincere gratitude to my Special Representative, Zahir Tanin, for his leadership of the Mission and his efforts to strengthen cooperation among all sides and to promote overall security and stability. Furthermore, I commend the staff of UNMIK for their commitment and efforts, especially in facilitating effective engagement among and between key stakeholders.

50. I conclude by extending my gratitude to the long-standing partners of the United Nations in Kosovo, including KFOR, the North Atlantic Treaty Organization, the European Union and OSCE, and to the United Nations agencies, funds and programmes for their support for and cooperation with UNMIK.

Annex I

Report of the European Union High Representative for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo from 16 July to 15 October 2016

1. Summary

The European Union Rule of Law Mission in Kosovo (EULEX) continued its monitoring, mentoring and advising activities, and to implement its executive functions in line with its rule of law mandate. The reconfiguration process of the Mission continued throughout the reporting period.

A number of verdicts were pronounced in cases concerning war crimes, organized crime, corruption and other serious crimes. The Mitrovica Basic Court sentenced one defendant for war crimes against the civilian population and other charges. The Ferizaj/Uroševac Basic Court sentenced one defendant for trading in influence, extortion and unlawful possession of a firearm. The Pristina Basic Court acquitted seven defendants in the 2007 case relating to an explosion on Bill Clinton Boulevard in Pristina (the "Clinton Bombing 2"). The Court of Appeals acquitted three defendants in a case relating to the Ministry of Trade and Industry. The Mitrovica Basic Court reopened the main trial against two defendants who had been indicted for charges relating to the murder of a Kosovo police officer in 2011, following a judgment by the Court of Appeals.

The Mission monitored and advised the Kosovo police in relation to several events, including the commencement of the reconstruction of the main bridge in Mitrovica. EULEX facilitated a regional conference of police directors general in Skopje with the aim of intensifying cooperation and harmonizing actions against terrorism and organized crime. The Mission continued to advise the Kosovo Correctional Service against preferential treatment of high-profile prisoners. EULEX maintained its support for the Kosovo Judicial and Prosecutorial Councils, which achieved only limited progress regarding the amended package of laws on the judiciary.

There was progress in the implementation of the agreements from the European Union-facilitated dialogue between Belgrade and Pristina. The parties agreed on further modalities for the implementation of the agreement on freedom of movement regarding vehicle licence plates. The integration of former administrative staff from the Serbian Ministry of Interior into Kosovo structures proceeded. The selection of all judges, prosecutors and support staff within the framework of justice integration was concluded, while the appointments were yet to be made.

The Mission commemorated the anniversary of the death of the EULEX customs officer, Audrius Šenavičius, who was killed in the line of duty in northern Kosovo in September 2013.

2. EULEX activities

2.1 Executive

War crimes

On 8 August, a panel of EULEX judges at the Mitrovica Basic Court sentenced a defendant to an aggregate punishment of eight years' imprisonment and a fine of €1,500 for war crimes against the civilian population and unauthorized ownership, control and possession or use of weapons. The defendant had been found guilty of illegal detention, violation of bodily integrity and health and torture of several witnesses and unknown civilians in the Kosovo Liberation Army camps in Kukës and Cahan, Albania, and in Prizren, Kosovo, in 1999. The accused had carried out his actions together with other Kosovo Liberation Army members.

Organized crime and corruption

In July, a panel of one local judge and two EULEX judges at the Court of Appeals granted the appeals of three defendants against the judgment of the Pristina Basic Court of 21 September 2015 in a case relating to the Ministry of Trade and Industry. The panel acquitted the defendants of all charges, namely abuse of official position or authority committed in co-perpetration. It also partially granted the appeal of the fourth defendant and modified the judgment by sentencing him to a suspended prison sentence of 18 months for abuse of official position or authority, while the remainder of the judgment was confirmed.

On 4 August, a panel of one local judge and two EULEX judges at the Ferizaj/Uroševac Basic Court sentenced a defendant to an aggregate sentence of four years' imprisonment and a fine of €1,500 for trading in influence, extortion and unlawful possession of a firearm. The defendant was ordered to make restitution of the extorted sum of €25,000 euros by 31 December 2017.

On 26 August, a EULEX prosecutor at the Kosovo Special Prosecution Office filed an indictment against three defendants accused of accepting and giving bribes and trading in influence from 2011 to 2013 with the aim of obtaining the release from prison of convicted persons or a reduction in their sentence for criminal offences for which they had been convicted.

On 1 September, a panel of EULEX judges at the Mitrovica Basic Court opened the main trial against a defendant charged with the unauthorized purchase, possession, distribution and sale of dangerous narcotics.

On 29 September, a pretrial panel of one local judge and three EULEX judges at the Pristina Basic Court concluded the special investigative opportunity hearings in a case relating to the usurpation of socially owned land involving nine defendants thus far.

Other serious crimes

On 29 July, a panel of one local judge and two EULEX judges at the Pristina Basic Court acquitted seven defendants who had been charged with aggravated murder, attempted aggravated murder and causing general danger. The charges were related to

an explosion on Bill Clinton Boulevard in Pristina in September 2007 in which two people had been killed and several others injured (the "Clinton Bombing 2").

On 4 August, a panel of one local judge and two EULEX judges at the Court of Appeals partially granted the prosecutor's appeal against the judgment of the Mitrovica Basic Court of 10 December 2015 relating to a defendant in the "Zymberi 2" case. The case was related to an attack on a police convoy in Zubin Potok in 2011, in which a Kosovo police officer had been killed. The suspended prison sentence was extended from six months to one year, and the underlining offence of "obstructing official persons in performing official duties" was changed to "participation in a group obstructing official persons in performing official duties". On 7 September, a panel of EULEX judges at the Mitrovica Basic Court opened the main trial against two other defendants who had been indicted on charges relating to the same case (the "Zymberi 1" case). On 29 April, the Court of Appeals had granted the prosecutor's appeal against the acquittal of the defendants in 2015 and had returned the case for retrial at the basic court level.

On 19 September, EULEX commemorated the anniversary of the death of the EULEX customs officer, Audrius Šenavičius, who was killed in the line of duty in northern Kosovo in September 2013. At a press conference in Mitrovica North, EULEX announced an increased reward of €82,000 for any information leading to the arrest and prosecution of the perpetrator or perpetrators.

Specialist Chambers and Specialist Prosecutor's Office

On 1 September, the Chief Prosecutor of the newly created Kosovo Specialist Prosecutor's Office was appointed, marking the formal transition from the European Union Special Investigative Task Force. The Host State Agreement, allowing for judicial activity by the Specialist Chambers, had passed through the House of Representatives of the Netherlands and was pending the approval of the Senate. The Chambers continue to press forward on all other activities in The Hague under the authority of the Interim Host State Agreement signed with the Netherlands.

Significant steps have been taken to make the Specialist Chambers fully operational. A call for contributions for Registry and Specialist Prosecutor's Office staff closed on 9 September. Moreover, a call for nominations for the position of President of the Specialist Chambers and for the roster of international judges also closed on the same date.

In furtherance of transparent communication with the media and the public, the Specialist Chambers and Specialist Prosecutor's Office held their first press conferences on 15 September. Their official websites were launched on the same day.

The Registrar of the Specialist Chambers visited Kosovo in September where she met the Kosovo Minister of Justice.

Institute of Forensic Medicine

EULEX forensic experts at the Kosovo Institute of Forensic Medicine handed over 12 sets of remains, conducted four exhumations and identified the remains of one missing person. Furthermore, they carried out site assessments at the Pristina

University campus in Zubin Potok and Prizren and continued the site assessment at Kiževak in the Rudnica mining complex in Serbia. A working group tasked with drafting a strategy and an action plan in forensic medicine was set up within the Institute of Forensic Medicine.

Property rights

The Kosovo Property Agency Appeals Panel received 6 new appeals and adjudicated 41 appeals, while 278 appeals were pending a decision of the Panel.

The Special Chamber of the Supreme Court for privatization matters rendered 395 decisions in first-instance trial panel cases and finalized 45 cases at the appellate panel level.

Integration of the judiciary

Within the framework of the implementation of the European Union-facilitated dialogue, the integration of the judiciary progressed as the Kosovo Judicial Council and the Kosovo Prosecutorial Council together with EULEX finalized all interviews of candidates for judges, prosecutors and support staff. Judges and prosecutors had yet to be appointed. Construction work at the Basic Prosecution Office building had been completed.

Executive police

On 10 August, the first joint Kosovo police-EULEX foot patrol to enhance community policing was conducted in the town of Zubin Potok and was well received by the local population. Joint foot patrols were to be conducted in parallel with the joint green-border patrols carried out by EULEX and Kosovo border police in northern Kosovo.

On 30 September, EULEX provided joint training on crowd and riot control to the quick response teams of Regional Police Directorates Mitrovica North and Mitrovica South, which included training in mixed units and the use of gas masks. The training showed the capability of both regional directorates to work together to respond to crowd and riot control incidents.

2.2 Strengthening

EULEX held various meetings with the Prime Minister, the Minister of Finance and the Director General of Kosovo Customs regarding the forthcoming merger of Kosovo customs with the tax administration of Kosovo.

The Kosovo Judicial Council and the Kosovo Prosecutorial Council needed to achieve further progress in adopting and implementing regulations that had been included in the amended package of laws on the judiciary. Of the 38 sublegal acts to be completed and adopted, only 21 regulations had been adopted by both Councils as at the end of September.

EULEX began its monitoring through the chain of criminal justice of cases that were to be handed over to the Kosovo authorities as a result of the change of the EULEX mandate. Cooperation with Kosovo officials had been satisfactory. In the context of its work with the Police Inspectorate of Kosovo, EULEX also began

to monitor criminal cases filed against police officers in 2014 to analyse process performance since the initial indictment.

There was progress in the implementation of the agreements from the European Union-facilitated dialogue between Belgrade and Pristina. In September, an agreement on the further implementation of the Freedom of Movement Agreement was reached between Belgrade and Pristina regarding the use of vehicle licence plates.

To deal with licence-plate registration, the remaining administrative staff of the former Serbian Ministry of the Interior needed to take up their new positions in the municipal civil status offices in northern Kosovo. As at 1 September, the first batch of 32 former Serbian Ministry of Interior administrative staff members had begun work at the Civil Registration Agency, receiving on-the-job training at the premises of the former Mitrovica North Administrative Office.

Cooperation between Pristina and Belgrade through their regular meetings on integrated border management was very constructive. Veterinary and phytosanitary issues were discussed in addition to the ordinary day-to-day cooperation.

EULEX continued to advise the Kosovo Correctional Service on adequate treatment of high-profile prisoners. Progress was achieved, given that in August the Ministry of Justice revoked all cases of suspension of sentence on medical grounds; all inmates returned to prison. Remedies included proper categorization of inmates and preparation of case files for inmates who had overstayed their temporary suspensions of sentence for medical reasons. The Mission monitored all Kosovo Correctional Service escorts of high-profile prisoners to the University Clinical Center of Kosovo and made several recommendations on how to improve the efficiency of escorts. EULEX advised the Kosovo Correctional Service to conduct large-scale searches of prison facilities on a more regular basis.

In August, EULEX monitored and advised the Kosovo police on the planning and operations concerning the Prizren Dokufest and a charity concert by Dua Lipa. The Mission also monitored the work of the Kosovo police during the beginning of the revitalization work at the Mitrovica main bridge, encouraging cooperation between the Mitrovica North and Mitrovica South regional police departments in developing a joint preventive response plan. The central Kosovo police specialized unit proved once again its ability to adequately police major events. However, regional-level police units still needed the support of the Mission to improve their planning ahead of and during such major police operations. In relation to Kosovo joining the Fédération internationale de football association and the Union of European Football Associations, the Mission produced guidelines for the Kosovo police in its relations with the Kosovo Football Federation regarding the policing of international football matches. The Mission continued to advise the Kosovo police on appropriate minority and gender representation.

From 8 to 10 September, EULEX facilitated a regional conference in Skopje of directors general of police services. Representatives of Kosovo, the former Yugoslav Republic of Macedonia, Albania and Serbia discussed how to intensify cooperation and the exchange of information and how to harmonize actions against terrorism and organized crime.

As one of the main stakeholders in a capacity-building project funded by the United Nations Development Programme and the European Union Office in Kosovo, EULEX supported the Religious and Cultural Heritage Unit of the Kosovo police in its efforts to increase capacities and capabilities in the protection of cultural heritage sites in selected municipalities. Cooperation with the stakeholders progressed well. In September, an assessment was conducted on the issue of improved closed-circuit television monitoring of certain religious sites.

Annex II

Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo

(as at 15 October 2016)

Country	*Number*
Austria	1
Bulgaria	1
Germany	1
Hungary	1
Italy	1
Russian Federation	1
Total	**6**

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo

(as at 15 October 2016)

Country	*Number*
Czechia	2
Poland	1
Republic of Moldova	1
Romania	1
Turkey	1
Ukraine	2
Total	**8**

UNMIK
October 2016
Operational boundary
International boundary
National capital
Republic capital or provincial capital
Town, village
Mountain pass
Major road
Secondary road
Railroad
0 5 10 15 20 25 km
0 5 10 15 m
SERBIA
MONTENEGRO
Kosovo
ALBANIA
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA
HQ Regional
MLT North
HQ UNMIK
HQ MLC
Pristina
Skopje
Brodec
Kamenjane
Selce
Tetovo
Dorge Petrov
Tropoje
Bajram Curri
Lek Bibaj
Zapod
Kruse
Velika Kruse
Vrapsele
Gostivar
Tatarovce
Komorovo
Dragas
Dracevo
UNMIK HQ
Military Liaison Component HQ
Military Liaison Team
UNMIK perimeter of operations
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.